

One Hundred Fifth Congress  
of the  
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,  
the seventh day of January, one thousand nine hundred and ninety-seven*

An Act

To amend chapter 91 of title 18, United States Code, to provide criminal penalties for theft and willful vandalism at national cemeteries.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Veterans’ Cemetery Protection Act of 1997”.

**SEC. 2. SENTENCING FOR OFFENSES AGAINST PROPERTY AT NATIONAL CEMETERIES.**

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal sentencing guidelines to provide a sentencing enhancement of not less than 2 levels for any offense against the property of a national cemetery.

(b) COMMISSION DUTIES.—In carrying out subsection (a), the Sentencing Commission shall ensure that the sentences, guidelines, and policy statements for offenders convicted of an offense described in that subsection are—

(1) appropriately severe; and

(2) reasonably consistent with other relevant directives and with other Federal sentencing guidelines.

(c) DEFINITION OF NATIONAL CEMETERY.—In this section, the term “national cemetery” means a cemetery—

(1) in the National Cemetery System established under section 2400 of title 38, United States Code; or

S. 813—2

(2) under the jurisdiction of the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or the Secretary of the Interior.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*